

1 BEL MARIN KEYS UNIT V EXPANSION OF THE
 2 HAMILTON WETLAND RESTORATION PROJECT
 3 DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT/REPORT
 4 TRANSCRIPT OF PUBLIC COMMENT AT PUBLIC HEARING (8/21/02)
 5

6 TOM JACKSON
7

8 Good evening.
9

10 I would like to talk a little about Alternative 3. In
 11 Alternative 3, there is no backup levee system, so for that to
 12 work from Bel Marin Keys' point of view, you're going to have to
 13 build a pump station to combat floodwaters. And this goes back
 14 to the F-2 zoning. If you're going to relieve the F-2 zoning --
 15 and we have to pay a million dollars a year and you have to pay
 16 million dollars a year of O&M costs just to Bel Marin Keys for
 17 insurance, there's also the additional cost of O&M that you're
 18 going to have to pay for the pump station, because you're going
 19 to need this pretty large facility with a gasoline or diesel
 20 engine to power the pumps because you can't rely on electrical
 21 power.
 22

23 You're going to need a road along that levee just -- not just a
 24 walking path but a paved road open seven days a week to access
 25 that pump station. You're also going to need auxiliary power to
 26 the pump station for cleanup and water for cleanup.
 27

I-21.1

28 I build these things all over the world by the way. That's how I
 29 am pretty familiar with the facilities. You're also going to
 30 need to have to be able to transfer fuel to the motors, to the
 31 engineers, so it gets stored for a couple months. It gets old.
 32 You'll have to replace, so you'll have to have fuel transfer.
 33 That means you have to a plan in place for spills. If you run
 34 engines up and then you've got pollution and noise that's going
 35 to be added to scare the birds away.
 36

37 All these things should be addressed in the report. And that's
 38 not there yet. By the way, I really hope you get this through,
 39 because we're looking forward to it.

I-21 Tom Jackson

I-21.1

See Master Response 3 regarding flood zoning and Master Response 5 regarding flood insurance.

The document has been revised to include access, fueling and electrical power in the alternative description and discuss the noise, air quality, and hazardous materials (spills) effects of a potential pump station in Alternative 3. Given the location near the south lagoon lock, periodic access would be via the temporary bridge over the south lagoon lock, not via the south lagoon levee. Regardless, the document notes that the use of a pump station does not meet the project objectives for a project with little active management (executive summary, page ES-11). It should be noted that Alternative 2 is the selected preferred alternative and the conceptual design for Alternative 2 does not include such a pumping station.

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MADELINE SWARTZ

My name is Madeline Swartz. I live at 36 Montego Key.

And it's my understanding that both the City and the County are requiring that you meet ultimate flood control or flood channel equivalents in your present design and that none of your current alternatives meet this. This could be accomplished by dredging and thereby improving the flow capacity in Novato Creek, which is listed by the EPA as threatened due to sedimentation, and by using that mud to increase the ponding area in your project habitat, which would provide more upland and transition habitat, which is lacking in your alternative and would lessen the impact of the levee heights by moving them further away from the homes.

I-22.1

Now that the mercury content of the sediment in Novato Creek has once again tested within your criteria, will this alternative be examined?

I-22 Madeline Swartz

I-22.1

See Master Responses 2 and 3 regarding flooding, flood zoning and MCFCWCD drainage easements. As noted in the master responses, the lead agencies do not believe that the potential inconsistency with F2 zoning or with the drainage agreements constitutes a significant physical effect on the environment because the project hydrology and hydraulic studies do not identify an adverse effect on flooding. As such no mitigation for flooding, such as an ultimate flood channel or equivalent are included in the document. As such, dredging of Novato Creek is not required as mitigation for flooding.

Regarding the state listing of Novato Creek under Section 303(d) of the Clean Water Act, the current listing is for diazinon, not sedimentation. In 2002, the state proposed to put Novato Creek on a “watch list” for sedimentation/siltation, but this is not formal listing. Listing for sedimentation/siltation under Section 303(d), if it occurs, would be related to water quality, not channel capacity. Also see response to Comment L-1.21.

Regarding BMK CSD dredged sediments, the project sponsors are willing to accept BMK CSD dredged material during the dredged material placement phase, provided that the material is determined to be suitable cover material for use in the wetland project by the DMMO, its reuse is cost effective to the project, and the timing and other parameters of the material’s availability are consistent with the project implementation process. If the project is implemented and the material is determined to be suitable, this may assist the BMK CSD in disposing of the dredged material.

In the preferred alternative, the new outboard levee has been moved to a location 1,500 feet from the south lagoon, which would increase the capacity of the swale, increase the amount of upland habitat, and decrease the visual effects on views from the BMK residential area.

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 5

6 ROBERT FORSYTHE
7

8 I'm Bob Forsythe. I live in Bel Marin Keys. I've owned a home
 9 there for 16 years. And I am a long-term member of the planning
 10 advisory board there.

11
 12 First of all, I'd like to say I like the project. And I hope we
 13 can work things out. I just want to make sure that it will do
 14 more good than harm for us.

15
 16 I am concerned that the project may not provide adequate
 17 floodwater ponding capacity. This has already been addressed by
 18 someone a few minutes ago. There's now a 300-acre flood ponding
 19 easement in effect to accommodate the overflow of water from the
 20 south lagoons. This easement was mandated by the county when
 21 Unit IV was built and was based on a provision of three acres of
 22 ponding area for each acre of developed upland area. That was a
 23 total of 100 acres. We don't actually know if 300 acres is
 24 adequate or not. All we know is that we have not been flooded
 25 from the south lagoon since Unit IV was completed.

I-23.1

26
 27 Alternatives 1 and 2 provide seasonal wetlands and transitional
 28 uplands which could function as ponding basins. Where the
 29 useable area is not specified either in acreage or in -- I say
 30 "useable area," but there's other areas involved with that. It
 31 does appear to be less than 300 acres, however. And that
 32 farthest volume is what is available now.

I-23.2

33
 34 Alternative 3 appears to have no ponding capacity whatever.

I-23.3

35
 36 Your stated preliminary conclusion is that the project as
 37 proposed will not have an adverse effect on flooding in the
 38 local area and so will not require mitigation to that end. We
 39 are not satisfied that this conclusion is valid. It must be
 40 demonstrated convincingly before we can endorse the project.
 41 But even if it were true, you would still be required to either
 42 maintain a functional 300-acre ponding or an alternative
 43 arrangement that would satisfy our proven ponding requirement in
 44 a worst-case scenario. This situation has not been addressed in
 45 the draft EIS/EIR.

I-23.4

1 BOB FORSYTHE, continued

2
3 400 families and the 84 homes on the south lagoon are at risk
4 here. The project must identify and provide flood ponding
5 capacity that is proven adequate or fully comparable to what in
6 place here and now.

7
8 Thank you.

9

I-23.4
Con't.

I-23 Robert Forsythe

I-23.1

See Master Response 3 regarding MCFCWCD drainage easements.

I-23.2

See Master Response 3 regarding MCFCWCD drainage easements, which includes identification of the potential ponding capacity in the preferred alternative.

I-23.3

Alternative 3, would provide 40 acres to be added to Pacheco Pond and 10 acres of emergent marsh around the edge of the expanded pond. The swale area south of the BMK south lagoon would contain about 45 acres of upland and 10 acres of seasonal wetland. These areas would provide ponding capacity onsite, but far less than Alternative 1 or the preferred alternative, Alternative 2 (as revised).

I-23.4

The Draft SEIR/EIS presents the results of the hydrologic and hydraulic studies conducted to date and the conclusion based on those results that the proposed project would not result in an increase in flooding compared to the existing setting. Functionally, this means that the proposed project would not result in higher flood levels in Pacheco Pond or Novato Creek than those that would be present if the project is not built.

Regarding the 300-acre easement, see Master Response 3.

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SUSANNE GARBER

Susanne Garber, 214 Montego Key.

I'd just like to know how you're assessing the sedimentation
efficient northwest of the breach in the levee that you're
planning, because it will change as a result of the breach in
levee. In other words, behind the houses down that way
[indicating].

I-24.1

I-24 Susanne Garber

I-24.1

See Master Response 6 regarding Novato Creek morphology, which discusses the potential effects of the project on the channel width and depth due to changes in tidal prism and opening up a breach to allow tidal flow.

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DON SWARTZ

Hi, I'm Don Swartz. I live at 36 Montego. I'm also president
of the Homeowners Association of Bel Marin Keys.

Two of your three proposals involve breaching the levee on
Novato Creek in the vicinity of the mouth. How will you monitor
both sedimentation and shoaling as a result of this breach?
Additionally, how do you mitigate negative impacts such as
flooding and/or decreased navigability as a result of shoaling,
increased sedimentation, or movement of the navigation channel
due to widening as a result of the breach? Will you provide
dredging -- including permits, site, and equipment -- as a part
of your mitigation?

I-25.1

Thank you.

I-25 Don Swartz

I-25.1

See Master Response 6 regarding Novato Creek morphology and navigation and Master Response 2 regarding flooding. As noted in the master responses, the studies to date have not identified a significant adverse effect on flooding, creek morphology, or navigation and thus mitigation for these effects is not proposed. As discussed in Master Response 6, the monitoring and adaptive management plan for the HWRP has been updated to include the BMKV expansion and includes monitoring of the Novato Creek channel upstream and downstream of the levee breach. This updated plan is included as an appendix to the Final SEIR/EIS.

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 4 TRANSCRIPT OF PUBLIC COMMENT AT PUBLIC HEARING (8/21/02)

5
6 VINCE LATTANZIO
7

8 Vince Lattanzio, 1092 Bel Marin Keys Boulevard.

9
10 I'm really proud of this community and all the people who came
11 tonight and asked very important questions and have important
12 comments that I'm sure will be addressed about this project.
13 Many of the concerns that we have we share.

14
15 You've heard the flood protection concerns and the 300-acre
16 flood ponding area. We'd like to start to translate those
17 concerns into action and plan changes. So we're looking for 2000
18 feet distance between the south levee and your proposed levee.
19 This will do many things: It will help mitigate the view
20 impact; it will help to create more upland habitat, which is in
21 far more shortage in the Bay Area than even tidal marsh plans,
22 according to restoration scientists. This is an important aspect
23 also to provide some separation between our community and any
24 plan of any sort at all.

I-26.1

25
26 We do not support a spur into Bel Marin Keys. We think it is
27 not only a privacy issue and a security issue to our community,
28 but we think that the same issue applies to the habitat areas
29 that you are trying to work on. The harvest marsh mouse does not
30 do better with people coming into its habitat; nor is the
31 clapper rail benefited by people traipsing through its habitat
32 areas and observing it. Why, they may not even breed if they're
33 watched.

I-26.2

34
35 The F-2 zoning area would force residents to purchase flood
36 insurance. If the flood and hydrological reports that you plan
37 on doing in the next phase show that, that might not be
38 necessary. And FEMA agrees that that might not be necessary.
39 And the County agrees that's a mitigation that is viable.

I-26.3

40

1 VINCE LATTANZIO, continued

2

3 The impacts on Novato Creek, including increased sedimentation
4 and reduced flows, is a concern we have. And we are concerned
5 because what we have found in tracking other projects of a
6 similar nature is that, although in the long term there seem to
7 be some of these impacts, you state in the EIR in the short,
8 immediate term there are dire impacts of increased sedimentation
9 and decreased flows. And those need to be mitigated as part of
10 the initial impacts of the project, not as a reaction to oh-we-
11 were-wrong-let's-try-to-fix it-now. We really want that to be
12 studied.

I-26.4

13

14 And the modeling that someone just mentioned needs to take into
15 account all the actual formation and currents and curves of the
16 creek.

I-26.5

17

18 The public safety hazards resulting from toxic dust, runoff, and
19 air pollution are a concern that can be dealt with, but it is a
20 concern that is not adequately addressed at this point in the
21 EIR/ EIS.

I-26.6

22

23 We'd like to see plans of operation where the construction roads
24 and access will be maintained and allowed to happen. We want
25 the deterioration of Bel Marin Keys not to be encouraged through
26 this construction process. It is the third busiest road in
27 Marin County and therefore cannot stand any more traffic. And
28 it's an issue of access.

I-26.7

29

30 And any promotion of an interpretive center on Bel Marin Keys
31 Boulevard and parking is not acceptable to this community. We
32 prefer the location to be at Hamilton.

I-26.8

33

34 And we prefer no spur of the Bay Trail into the property. We
35 feel that is an adequate and responsible action on your part.
36 And we understand that if any improvements are necessary at the
37 Bel Marin Keys area that we would be able to have that mitigated
38 through a gated community that you would provide for us.

I-26.9

39

40 The traffic congestion is a major issue. And noise and dust and
41 how that impacts our living style and our daily lives can be
42 addressed more clearly in the EIR by limiting both access and
43 times of operation.

I-26.10

44

1 VINCE LATTANZIO, continued

2
3 The pest control, mosquito control, and rodent and predator
4 displacement is an important aspect that is not adequately
5 addressed. It can be better addressed in the final EIR/EIS,
6 particularly the fact that when you start disturbing them a lot
7 of the rodents come out of that area and seek shelter. And
8 we're the neighborhood that winds up with the pests. I know
9 this personally, as many of us do, but anytime our neighbor has
10 done any construction we wind up with an infestation of mice.
11 I'm sure the harvest marsh mouse doesn't care as long as he can
12 get there to come into our house and eat what it can, because
13 it's been disturbed -- you're actually disturbing habitat. It's
14 the same thing. How do you mitigate and account for that as well
15 as the predators that will seek shelter nearby, which is
16 opposite Hamilton?

I-26.11

17
18 The water pollution -- monitoring toxics entering the Bay and
19 the creek from nutrient runoff -- is something that is not
20 adequately addressed at this time. I'm sure you can do a better
21 job in the final EIR.

I-26.12

22
23 And the viewshed loss is a really key issue. I recommend that
24 in the final EIR that you provide a photo system of views. You
25 already have views taken from our community, but you need to do
26 it from the yards of our homes, which we will give access to,
27 and public areas that are along those view sheds that you do
28 have access to and take a picture with a photo adjustment
29 showing exactly where the levee will be in each of these
30 alternatives, because I think you'll find that the wall you
31 create in each scenario will be unacceptable from the view shed
32 standpoint until you start to reach out and get more space and
33 distance away from the community.

I-26.13

34
35 Security concerns as a result of the Bay Trail and the
36 interpretive center have been addressed. We just want to see
37 that addressed more clearly in the final EIR.

I-26.14

38
39 That's it. Thank you. And we look forward to the project going
40 forward as a good project that is a good neighbor. Thanks.

I-26 Vince Lattanzio

I-26.1

In the preferred alternative, the levee has been moved to a location 1500 feet south of the south lagoon levee. This would increase upland habitat, swale capacity, and reduce visual effects. The commenter did not provide evidence for the assertion that upland habitat is in “far more shortage” than tidal marsh. Relevant to the site, the San Francisco Bay Ecosystem Goals Report recommends that the most appropriate use of the BMKV expansion site, from an ecosystem point of view, is to create a wide plain of tidal marsh, something the project is designed to accomplish.

I-26.2

The preferred alternative does not include a spur. The swale area is designed to be a buffer between the tidal marsh and the BMK lagoon. Tidal marsh areas, which would be expected to support salt marsh harvest mouse and California clapper rail, would be located to the east of the swale and east of the outboard levee, in the tidal marsh and sloughs.

I-26.3

See Master Response 5 regarding flood insurance.

I-26.4

See Master Response 6 regarding Novato Creek morphology, which includes discussion of sedimentation, and Master Response 7 regarding Pacheco Pond.

I-26.5

See Master Response 2 regarding flooding and Master Response 6 regarding Novato Creek morphology, both of which discuss model assumptions and adequacy.

I-26.6

The Draft SEIR/EIS adequately discussed the air quality and water quality effects of construction. The comment provides no details concerning the alleged inadequacy of the analysis.

I-26.7

In the preferred alternative, the primary construction access route would be via Hamilton. Bel Marin Keys would be the secondary construction access route. Creation of a gated community is not a necessary mitigation measure for any identified significant environmental impact of the proposed project. Construction plans would be developed after the detailed design phase.

I-26.8

1 Refer to Master Response 14. In the preferred alternative, the interpretive center is on City of Novato
2 property at Hamilton.
3

4 **I-26.9**
5

6 As noted above, the preferred alternative does not include a spur. The Bay Trail would be located on
7 BMKV along the eastern edge of Pacheco Pond.
8

9 **I-26.10**
10

11 As noted above, the primary construction access route has been moved to the HAAF site, which would
12 reduce construction traffic impacts on Bel Marin Keys Boulevard. Noise and dust are discussed in
13 chapter 4. Mitigation Measures A-1 is included to reduce dust, and Mitigation Measure N-1 is included
14 to reduce noise, including restriction of hours of operation.
15

16 **I-26.11**
17

18 See Master Response 15 regarding mosquito breeding habitat and pest/predator displacement. Any
19 displacement of salt marsh harvest mice, if actually present in the disturbed areas, would be to adjacent
20 marsh habitat, not to residential areas.
21

22 **I-26.12**
23

24 Impact WQ-9 discussed the potential for degradation in water quality due to runoff from the site into the
25 Bay or Novato Creek. Mitigation Measure WQ-4 includes a water quality monitoring program, which
26 includes assessment of nutrients such as nitrates and phosphorus.
27

28 **I-26.13**
29

30 See Master Response 9 regarding visual resources.
31

32 **I-26.14**
33

34 Refer to Master Response 14. In the preferred alternative, the interpretive center is located on City of
35 Novato property and there is no spur along or adjacent to the south lagoon. This should address the
36 security concerns mentioned in the comment.
37

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 5

6 KARLA JACOBS

7
8 Hello. I am Karla Jacobs.

9
10 I live on the creek on [inaudible] shores across from the --

11
12 Two things: the flooding that was mentioned from the south
13 lagoon -- the 400 families on the south lagoon. That does not
14 just affect the 400 families and [inaudible] on the other side
15 of the street through our garages and into our homes that way.
16 We had flooding during El Nino right up to my patio within this
17 high [indicating] of my doorstep, so it's a real threat.

18
19 Global warming is causing oceans to rise. I don't know if your
20 calculations have taken that into consideration. The water
21 levels are rising everywhere. And nature just does its own
22 thing. I don't know how your report, as we see it right now,
23 can predict the flow of the river.

I-27.1

24
25 Breaching the mouth of the river is bound to cause siltation.
26 After you finish dredging it, you've breached the river. Where
27 are we then? We want something in your plan to monitor it --
28 monitor all the breaches immediately and find out what their
29 immediate impact is. We want funds to undo the damage, put it
30 back where it was, and try something else perhaps. But we want
31 to know that mistakes are not going to impact us and our
32 property values.

I-27.2

33
34 And the other thing that I see from the backyard of my Hughes
35 (house?) is red-tailed hawks, tons of egrets, nighthawks, blue
36 herons. We see mice. There is an eagle's nest. There's a
37 family of barn owls. I understand that the barns are coming
38 down. The towers that the eagles perch on and the red-tailed
39 hawks are perching on are going to be down. I want to make sure
40 that those species are protected as well as humans in Bel Marin
41 Keys.

I-27.3

I-27 Karla Jacobs

I-27.1

See Master Response 18 regarding climate change.

I-27.2

See Master Response 6 regarding Novato Creek morphology and navigation.

I-27.3

See Master Response 12 regarding existing wildlife habitat. The PG&E power towers would not be removed.

1
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4 DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT/REPORT
5 TRANSCRIPT OF PUBLIC COMMENT AT PUBLIC HEARING (8/21/02)
6

7 ANNA LANG
8

9 My name is Anna Lang. I live in [inaudible].
10

11 My question is: Much of the south lagoon is subject to an
12 easement [inaudible]? I would like to know if the legal rights | I-28.1
13 justify your use of the easement to provide public access.
14

15 Thank you.

I-28 Anna Lang

I-28.1

See Master Response 13, which includes discussion of trail routing and the existing BMK CSD easements for the south lagoon levee which are for maintenance and drainage purposes. The levee is located on land owned by the state and the easements do not provide a right of private recreational access.

The preferred alternative does not include a designated spur trail along the new levee or along the south lagoon levee. These areas would not be designated for public access. BMK residents, like other members of the public, would be able to use the Bay Trail for recreation.

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 2 HAMILTON WETLAND RESTORATION PROJECT
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 5

6 MARY SERPA

7
8 [Inaudible.]
9

10 I'm sort of reiterating some of the things that have already
 11 been spoken about. When I heard about these plans and that
 12 they're going to last for years, the actual construction is
 13 going to go on for years. And I see a great disruption in our
 14 lives for those years with the traffic with dump trucks and all
 15 the other things that are going to be involved and a lot of
 16 noise and a lot of dust.

I-29.1

17
18 As was mentioned before, a lot of inundation by the little
 19 critters that are fleeing this disruption. I have already dealt
 20 with one of my dogs being bitten by a rabid skunk who happened
 21 to cross my backyard. So this is a very real concern to me. I
 22 have mice already and bats in the belfry.

I-29.2

23
24 And so these are things I see as being real disruptions in our
 25 lives. And so I'd like to know what's going to be done to
 26 minimize those disruptions or ameliorate the problems that might
 27 be created by all of this construction. Also, to reiterate, the
 28 eucalyptus trees that are at the beginning of our levee -- or in
 29 that area -- are a roosting area for lots and lots of egrets --
 30 the most incredible thing you've ever seen. And I don't want
 31 that to go away. It's beautiful; it's wonderful. And so I do
 32 want you to consider, although you're bringing in species that
 33 have been taken away from the area what's going to happen to the
 34 species that now live there, for which this area has become a
 35 home and who have adapted to this area? Are we going to wipe
 36 them out?

I-29.3

I-29.4

37
38 That's all. Thank you.
39
40

I-29 Mary Serpa

I-29.1

Construction impacts of the project concerning traffic, noise, and dust are discussed in chapter 4 of the document and mitigation measures are proposed where significant impacts are identified. The preferred alternative includes a primary construction access route from Hamilton and secondary access from Bel Marin Keys Boulevard, which would reduce traffic and associated impacts associated with construction access.

I-29.2

See Master Response 15 regarding pest/predator displacement.

I-29.3

See Master Response 15 regarding pest/predator displacement and Master Response 16 concerning construction disruption.

I-29.4

See Master Response 12 regarding existing wildlife habitat. The eucalyptus grove on Headquarters Hill near Bel Marin Keys Boulevard is on private property and is not part of the restoration project.

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 4 TRANSCRIPT OF PUBLIC COMMENT AT PUBLIC HEARING (8/21/02)
 5

6 DIANNE KLING
7

8 Hi, my name is Dianne Kling. I'm the secretary of the
 9 homeowners' association -- the Bermuda Harbor Homeowners
 10 Association. We are immediately next to or within a small
 11 amount of water to where the locks are for south lagoon right by
 12 Bel Marin Keys. If you know where that is, we are 12 units.
 13

14 We see a lot of traffic -- trucks that make a long diversion
 15 that are headed to Hamilton. And I'm constantly redirecting
 16 people now. I don't need to be more of a traffic director than
 17 I am now. So I guess what I'm speaking of is the Bay Trail
 18 interpretive center in Alternative 2 and I believe 3 as well.
 19 You have the interpretive center at the entrance immediately to
 20 Bel Marin Keys.
 21

22 Since it is, as I think someone else mentioned, we are the third
 23 most heavily traveled road in Marin County and the only access
 24 for 740 homes. We've got to think in terms of emergency
 25 vehicles being able to pass. Will there be so many cars parked
 26 on sides of the road and people walking -- "Gee, I never saw
 27 this neighborhood before. Let's check it out. Let's drive
 28 around." They are going to end up at dead-end streets at every
 29 one of those lagoons. They're going to be coming back through
 30 again. That's what so many semi trucks do now. We certainly
 31 don't need any more.
 32

33 Also, we've spoken already about safety concerns and security.
 34 We surely would be concerned about that. So we would like to
 35 highly recommend that the site at Hamilton, which is City of
 36 Novato property -- and it offers views to people of the complete
 37 restoration project. It just seems like it would make a lot
 38 more sense to have it there at the base of Reservoir Hill, where
 39 there would be less human and animal intrusion and disturbance
 40 of the wildlife corridor. And that should be the preferred
 41 site.
 42

43 Thank you.
44

I-30.1

I-30 Dianne Kling

I-30.1

In the preferred alternative the interpretive center is located on the City of Novato property at Hamilton.

Tom Gandesbery
California State Coastal Conservancy
1330 Broadway, 11th Floor
Oakland, CA 94612

August 29, 2002

Dear Mr. Gandesbery,

As residents of this Bel Marin Keys community, we would like to make clear that we are not against the Wetlands Restoration project.

However, this project as presently planned, will have a significant impact on this community in more ways than one, and revision of the present alternatives should be seriously considered to prevent alteration of our life style, privacy, and public safety.

I-31.1

We hereby state our opposition to the following alternatives as presently planned by the California State Coastal Conservancy:

1. New Levee.

The new 12 feet high levee proposal along the South Lagoon, is totally unacceptable, not only for us, but for approximately 400 other homes whose views of the San Pablo Bay will be obstructed. This high levee construction which would be the equivalent to a "Berlin Wall" in front of our backyards, will not only block our views but it will create an eyesore in this part of the community and would definitely be the cause for property devaluation. We don't want our views blocked, and we would like to preserve our property values.

I-31.2

SUGGESTION: Move this levee at least 3,000 feet away from its present location toward the San Pablo Bay. This would definitely prevent the blocking of our panoramic views, and it would blend more aesthetically with the surrounding area. This should be the proper solution for this problem which we as tax payers are facing.

What mitigation will be considered for our property devaluation, if the present planners ignore the concerns of the 400 homeowners affected??

2. Bay Trail Interpretive Center.

Presently, there is a proposed Bay Trail Interpretive Center and access to the Bay Trail to be erected near the entrance to Bel Marin Keys residential area. Again, we are against this proposal for the following reasons:

a. Bel Marin Keys Boulevard is a heavily traveled road, and the only access road for 703 homes. The location of this center at the proposed site, would definitely create traffic safety concerns, because of the increased traffic and automobile parking lot near this narrow road. Not to mention the increased activity by the touring buses industry bringing sightseers to this area.

I-31.3

Since this is the only accessible road to Bel Marin Keys residents, in case of an emergency, we would be faced with chaotic results in terms of evacuation.

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SEP 01 2002

COASTAL CONSERVANCY
OAKLAND, CALIF.

b. The establishing of this center in this particular area, would create a very serious security problem for the Bel Marin Keys community, since it would allow a high number of people to wander on the Bay Trail spurs which are planned along the South Lagoon levee. Presently, this is a "Neighborhood Crime Watch" community where we can easily detect any suspicious activities in the neighborhoods. With the present proposal, it would be practically impossible to monitor any suspicious activities, since there would be an enormous number of people wandering not only around the trails, but individuals driven by curiosity will venture into our residential streets by walking or driving.

I-31.3
Con't.

c. With the present proposal site, our privacy as residents would be practically eliminated, since hundreds of people would be invading the trails which are few feet away from our own backyards. Most of them will be curiously involved in watching our home activities as they pass by. Therefore, we will be deprived of our own privacy, and this is totally unfair to us. SUGGESTION: Why not utilize the site at Hamilton which is actual property of the city of Novato? This site would offer a hilly area with trails that could provide better downward views of the complete Wetlands Restoration accomplishment, with less human/animal intrusion and less disturbance to this community.

3. Flooding.

At present, there is a provision of 300 acres Ponding required by the Marin County Flood Control. Under the proposed alternatives, there is no such provision being considered. And it appears that mechanical pumps are intended to be used in the proposal.

a. Who is going to operate these pumps? Bel Marin Keys community is not willing to undertake the responsibility of operating these pumps.

b. Pumping water out of the lagoons is not an acceptable practice for flood protection in the Bel Marin Keys community.

c. If the present provision of 300 acres Ponding is removed, this would constitute the removal of F2 Zoning, which would affect us by flooding problems.

e. By the removal of F2 Zoning, this community would be considered to be in a possible flooding area, and each homeowner would be forced to pay the high cost of flood protection insurance, which at present is not needed. This would be totally unfair to our property rights, and therefore, we strongly suggest that the provision of 300 acres Ponding required by Marin County Flood Control be incorporated in any proposed alternative in order to preserve the F2 Zoning.

I-31.4

We sincerely appreciate your attention and consideration to these comments and questions which we have presented to you, and would sincerely appreciate your response.

Sincerely,


Rudolph D. Sheldon


Elisabeth Sheldon

160 Bahama Reef, Novato, CA 94949

Tom Gandesbery
California State Coastal Conservancy
1330 Broadway, 11th Floor
Oakland, CA 94612

August 29, 2002

Dear Mr. Gandesbery,

Regarding the Wetlands Restoration Project in the vicinity of the Bel Marin Keys community, we would like to present some comments and questions pertaining to the impact this specific project will have to the residents of this community.

1. Construction Project.

It is contemplated that it would take a period of 5-19 years to complete this Wetlands Restoration project, during which time, heavy construction equipment will be utilized to accomplish this enormous task. This continuous activity will have an impact on our daily lives, because we will be exposed to construction noise, air pollution, dust, and pest displacement which will be increasingly disruptive and disadvantageous to us residents. As we understand, the construction traffic would start near the entrance to the Bel Marin Keys residential area and would create considerable traffic problems on this narrow road which is the only accessible road to all residents of Bel Marin Keys.

I-31.5

SUGGESTION: We suggest and request that construction traffic be routed through the access road at Hamilton and not bel Marin Keys Boulevard.

How will these negative impacts be monitored and mitigated?

a. How do you intend to address the problem of rodent and predator population displacement when this construction is in progress?

b. In the case of pest displacement such as mosquitoes etc. Are you intending to increase mosquito abatement by increasing insecticide spraying? And if the insecticide spraying is actually increased, how will this action affect the health of this community if it is not properly controlled and conscientiously monitored??? Here we are talking about a high health risk issue, and all precautionary measures should be considered and studied to insure that residents of this community are not exposed to unhealthy situations.

I-31.6

2. Novato Creek Navigability.

This is a waterfront community and consequently, we want to continue navigating.

What commitment have you made to study impacts to navigation on the Novato Creek?

This is very important to the Bel Marin Keys community since this creek is needed in order to navigate to the San Pablo Bay and the San Francisco Bay as well.

I-31.7

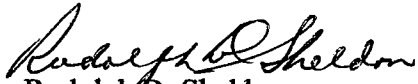
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COASTAL CONSERVANCY
OAKLAND, CALIF.

We thank you in advance for your courtesy and attention to these comments, and we would appreciate consideration be given to our suggestions and requests. We are also looking forward to your response to the many questions hereby presented.

Sincerely,


Rudolph D. Sheldon


Elisabeth Sheldon

160 Bahama Reef,
Novato, CA 94949

I-31 Rudolph & Elisabeth Sheldon

I-31.1

See Master Response 1, which identifies the changes that have been incorporated in Alternative 2, the preferred alternative, in response to comment.

I-31.2

In the preferred alternative, the new outboard levee has been moved to a location about 1,500 feet from the south lagoon levee and has been lowered by 2 feet to reduce the visual effects. The revised visual resources analysis concludes that these changes would reduce the visual impacts to a less-than-significant level.

Also see Master Response 9 regarding visual resources.

I-31.3

In the preferred alternative, the interpretive center is located on City of Novato property at Hamilton and no trail spur along or south of the BMK south lagoon is included. The Bay Trail would be located on the BMKV expansion site along the east side of Pacheco Pond and would not be directly adjacent to the BMK south lagoon.

I-31.4

Pumping for flood relief is only included in Alternative 3 and is not included in the preferred alternative. See Master Responses 2, 3, and 5 regarding flooding, flood zoning and existing drainage easements, and flood insurance, respectively.

I-31.5

In the preferred alternative, the primary construction access route is through Hamilton and Bel Marin Keys Boulevard would be used only as a secondary access route..

I-31.6

See Master Response 15 regarding mosquito breeding habitat and pest displacement. Also see Marin Sonoma Mosquito and Vector Control District comment letter (L-6).

I-31.7

See Master Response 6 regarding Novato Creek morphology and navigation.

WRITTEN COMMENT FORM

BEL MARIN KEYS UNIT V EXPANSION OF THE HAMILTON WETLAND RESTORATION PROJECT

PUBLIC HEARING ON THE DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT/STATEMENT

WRITTEN COMMENT FORM

Name: THE INTERPRETIVE CENTER & MUSEUM

Address: _____

Phone Number: A TRAIL ACCESS LOT WILL REQUIRE

Email: MANY MORE ^{PARKING} PLACES THAN

COMMENT: 10 - WHICH

WOULD BE TOO MANY FOR

THAT LOCATION - IT SHOULD BE IN A DIRT LOT

THERE IS AN EXISTING TRAIL

THAT RESIDENTS USE TO GET

TO THE BAY IT APPEARS THAT

IT WILL BE INDENTED - 17

SHOULD BE MAINTAINED

I-32.1

I-32.2

Please feel free to use the back of this form, if needed.

Thank you for your comments!

WRITTEN COMMENT FORM

BEL MARIN KEYS UNIT V EXPANSION OF THE HAMILTON WETLAND RESTORATION
PROJECT

PUBLIC HEARING ON THE DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT
REPORT/STATEMENT

WRITTEN COMMENT FORM

Name: _____

Address: _____

Phone Number: _____

Email: _____

COMMENT: _____

IF OUR DREDGINGS ARE NOT
BIR

ACCEPTABLE THEN THE DREDGINGS

OF OTHERS - ESPECIALLY INDUSTRY &

COMMERCIAL CONTAMINATION ARE

NOT ACCEPTABLE

I-32.3

Please feel free to use the back of this form, if needed.

Thank you for your comments!

WRITTEN COMMENT FORM

BEL MARIN KEYS UNIT V EXPANSION OF THE HAMILTON WETLAND RESTORATION PROJECT

PUBLIC HEARING ON THE DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT/STATEMENT

WRITTEN COMMENT FORM

Name: _____

Address: _____

Phone Number: _____

Email: _____

COMMENT: _____

WITH ALL OF THE ACRES

1000 & 1000 & 1000 ALREADY
RESERVED FOR PROPER

DO WE REALLY NEED MORE

1000 & 1000 & 1000 OF ACRES

MORE FOR BIRDS, FISH

& MOSQUITOES!

I-32.4

Please feel free to use the back of this form, if needed.

Thank you for your comments!

I-32 Anonymous Written Comments Submitted at Public Hearing

I-32.1

The preferred alternative places the interpretive center on City of Novato land at Hamilton, not on BMKV.

I-32.2

See Master Response 13 regarding trail routing which includes discussion of the easements for the south lagoon levee, which are for maintenance and drainage purposes. The levee is located on land owned by the state and the easements do not provide a right of private recreational access.

The preferred alternative does not include a designated spur trail along the new levee or along the south lagoon levee. These areas would not be designated for public access. BMK residents, like other members of the public, would be able to use the Bay Trail for recreation.

I-32.3

See Master Response 10 regarding dredged material quality and sources. Regarding BMK CSD dredged sediments, the project sponsors are willing to accept BMK CSD dredged material during the dredged material placement phase, provided that the material is determined to be suitable cover material for use in the wetland project by the DMMO, its reuse is cost effective to the project, and the timing and other parameters of the material's availability are consistent with the project implementation process. The DMMO suitability determination is the same test of quality that all material potentially to be used at the site must pass.

I-32.4

See Master Response 11 regarding habitat design and Master Response 15 regarding mosquito breeding habitat. As noted in the master response, the project is expected to decrease potential mosquito breeding habitat.

As to the need for habitat restoration, the San Francisco Bay has lost 80% to 90% of tidal wetlands resulting in the decline of many native mammal, birds, and fish species, some of which are now threatened and endangered. Restoration of tidal marsh and of other bay habitats is considered essential to restoring overall diversity and health of the San Francisco Bay and the Hamilton/BMKV project is a major component in long range planning for the bay. The site represents the implementation of a number of regional planning efforts that represent the general scientific consensus about priorities for restoration efforts.

September 3, 2002

Jones and Stokes
268 Grand Avenue
Oakland, CA 94610-4724
Attn: Rich Walter

Dear Mr. Walter:

I shall make this quick. My name is Andrea Vincent. I am a dog owner in Marin County. My brother played Little League at Hamilton AFB 30 years ago. I life guarded there 20 years ago at the Officers Club pool. Its all about family isn't it? Life. Well dogs are a big part of family now even more so these days where kind people are taking there dogs out to exercise during their hectic life to get a piece of enjoyment while feeling safe with their furry companion. I respect bird life, but land should and can be shared with birds. Cats kill birds, not dogs. Wild or not, dogs live and breathe on this planet and more land is being restricted to dogs and their human's. A creative solutions is the approach not prohibition – there are several other options. I am so angry that this continues. This moment in life, a walk with a dog, is so important to happiness and health to each individual. Less stress, less violence, happier planet – big picture. It starts small and trickles out to the rest of the community.

I-33.1

Thanks for considering the dog people.

Andrea Vincent
San Geronimo, Marin County, CA USA
Astarn@ix.netcom.com
Po Box 475
Fairfax, CA 94978

PS. Note the miles of bird sanctuary land that surrounds the Bay Area.

I-33 Andrea Vincent

I-33.1

Comment noted. See Master Response 13 regarding Bay trail routing, spur trails, and dogs.